

Minutes

Bar Harbor Town Council

November 20, 2007

- I. **CALL TO ORDER** – 7:00 P.M. – In attendance were: Councilors Ruth Eveland, Robert Garland, Paul Paradis, Ken Smith, Julia Schloss, Greg Veilleux; and Town Manager Dana Reed.
 - A. **Excused Absence** – Mr. Paradis, with second by Mr. Veilleux, moved to excuse Councilor Jordan as provided by Town Charter section C-12.B(1)(d). Motion passed 6-0.
- II. **APPROVAL OF MINUTES:**
 - A. **October 16, 2007 Special Meeting**
 - B. **October 16, 2007 Regular Meeting**

Mr. Smith, with second by Ms. Schloss, moved to approve the minutes of the October 16, 2007 special and regular meetings as presented. Motion passed 6-0.
- III. **ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Smith, moved to adopt the agenda as presented. Motion passed 6-0.
- IV. **FINANCIAL STATEMENTS** – Mr. Paradis, with second by Ms. Schloss, moved to accept and file the October 31, 2007 financial statements as presented in the finance director's memo to Council dated November 11, 2007. Motion passed 6-0.
- V. **PUBLIC HEARINGS:**
 - A. **General Assistance Ordinance** – *Public hearing on and possible adoption of Ordinance #2007-05, the annual revision of maximum benefit levels, Appendixes A, B, and C; and in addition Appendix F, pursuant to 22 MRSA §4305(4).* – There being no comments, Mr. Paradis, with second by Ms. Schloss, moved to adopt the General Assistance Ordinance, Ordinance #2007-05, the annual revision of maximum benefit levels, Appendixes A, B, and C; and in addition Appendix F, pursuant to 22 MRSA §4305(4) as presented. Motion passed 6-0.
- VI. **REGULAR BUSINESS:**
 - A. **Resolution of Appreciation** *for retiring Fire Captain Reggie Gilley.* – Mr. Paradis, with second by Mr. Garland, moved to approve and sign the Resolution of Appreciation to Reggie Gilley. Motion passed 6-0.

Resolution
of the
Bar Harbor Town Council

WHEREAS, Captain Reginald Gilley is retiring from the Town Hill Fire sub-station after serving forty-nine years, with fifteen years as chief of the Town Hill station; and

WHEREAS, during his five decades of serving his town and neighbors, he spent many volunteered hours maintaining the station, keeping the other volunteers active; and helped battle a number of fires; and now therefore,

BE IT RESOLVED, That the Honorable members of the Bar Harbor Town Council do hereby recognize and express their appreciation to Reg Gilley for his forty-nine years of service to his community, friends, neighbors, and the Town of Bar Harbor; and be it further

RESOLVED, That the members of the Bar Harbor Town Council wish to extend their best wishes to Reg Gilley for much success and enjoyment in his retirement.

- B. Water and Sewer Fees – Request of Manager for commitment of water and sewer fees to the Town Treasurer.** – Mr. Smith, with second by Mr. Paradis, moved to sign the Certificates of Commitment for Water and Sewer Fees. Motion passed 6-0.
- C. Habitat Restoration Grant – Report by Marine Resources Committee chair Dr. Jane Disney and eelgrass restoration Project Manager Dr. George Kidder.** – Dr. George Kidder reported on the projects three objectives; restoration, research of transplanted eelgrass, and education of the public; the status of each objective, and future plans. His report was well received, and the Town Council thanked him for his presentation. They also thanked Dr. Disney for her involvement and for including the community and children.
- D. Kids' Corner – Meeting with Council to review progress and status.** – Cathy Lutz, President of the Kids' Corner Board of Directors, gave an overview of the history of Kids' Corner and their success and commitment since the Town's current agreement. She also reported that they will soon replace the roof. No Council action was required, since this work is a repair, not a capital improvement.
- E. Cruise Ship Task Force:**
- 1. Possible appointment of a tour bus representative.** – Mr. Paradis nominated Gregory Gordon to the Cruise Ship Task Force seat, reserved for a representative from a bus company serving the cruise ship industry. Ms. Schloss nominated Betty Masse, but Ms. Masse declined the nomination, saying she felt Mr. Gordon

would serve the task force well, and that she thought there was more than one seat vacant.

Five votes were cast for Gregory Gordon: Ms. Eveland, Mr. Garland, Mr. Paradis, Mr. Smith, Mr. Veilleux.

One vote was cast for Betty Masse: Ms. Schloss.

Gregory Gordon was appointed to serve as the tour bus representative on the Cruise Ship Task Force.

2. *Request of Councilor Paradis for amendment of the bylaws to allow appointment of an Ocean Properties representative.* – Mr. Paradis moved to amend the Cruise Ship Task Force By-Laws, section VI, to change the composition from 12 to 13 members to create a seat for a representative from Ocean Properties. Motion died for lack of second. There was no further discussion.

F. Design Review Board Resignation – *Possible acceptance of the resignation of Cherie Galyean from the Design Review Board.* – Mr. Paradis, with second by Ms. Schloss, moved to accept the resignation of Cherie Galyean from the Design Review Board and thank her for her service to the town. Motion passed 6-0.

G. FY09 Budget – *Request of Councilor Garland for reconsideration of Council's FY09 Tax Rate Target.* –

1. Mr. Garland, with second by Ms. Schloss, moved to reconsider the Council's FY09 Tax Rate Target. Motion failed, by a tied vote of 3 to 3 (Nay: Ms. Eveland, Mr. Paradis, Mr. Smith).
2. **Northeast Creek Workforce Housing Debt Service** – *Request of Town Manager whether or not to include bond payment in the zero targeted tax rate.* – Mr. Paradis, with second by Mr. Veilleux, moved not to include the Northeast Creek Workforce Housing project bond payments within the zero tax increase target. Motion passed 6-0.

H. FY08 Budget Appropriations – *Request of the Town Manager for a supplemental appropriation of \$83,413 for road and sidewalk repairs made as a result of the spring 2007 storms, with funds to come from FEMA grant.* – Mr. Smith, with second by Mr. Paradis, moved to order that the Treasurer increase the FY08 CIP appropriation and CIP revenue budget by \$83,412 to reflect FEMA grant monies received for repairs of roads, sidewalks, pier and beach ramp from the March and April 2007 storms. Motion passed 6-0.

I. School Reorganization – *Status report by Council representative Bob Garland.* - Councilor Garland gave the update of the latest Reorganization Planning Committee meeting. The discussion and planning are moving forward.

J. Economic Development Districts –

1. *Report by Planning Director Anne Krieg on the training she recently attended.* – Planning Director Anne Krieg reported her findings from her visit and discussion with the Hyannis Economic Development Director. While it was decades of work, the key component of success was that it was business driven, not by the local government.
2. *Review and possible approval of draft bylaws for the Economic Development Task Force.* – Mr. Paradis, with second by Ms. Schloss, moved to approve the draft bylaws for the Economic Development Task Force as presented with the exception of item VI (1). Motion passed 6-0. It was suggested both the Council and Planning Director return next meeting with additional ideas for the composition of the task force.

K. Route 3 at 102/198 – *Town Manager's report of the League of Towns meeting with the MDOT regarding reconfiguration of the intersection at the head of the island and staff's recommendation that Council endorse the project.* – Mr. Paradis, with second by Mr. Garland, moved to support the MDOT Route 3 at 102/198 project at the head of the Island as proposed at the public meeting on September 19, 2007. Following much discussion, Ms. Eveland, with second by Ms. Schloss, moved to table the question to Council's next regularly scheduled meeting with the request that MDOT make a presentation to the Town Council. Motion passed 6-0. In addition, Mr. Paradis, with second by Mr. Garland, moved to communicate to MDOT the town's interest in the concept of moving the traffic signal to the vicinity of the Town's 18.8 acre parcel of land at the head of the island. Motion passed 5-1 (Nay: Mr. Smith).

L. Ethics Ordinance Training – *Report of the Ethics Committee on concerns raised at training sessions.* – Following a brief discussion, it was suggested next meeting to review and consider action regarding those who did not attend and how to offer sessions to them and future appointees.

M. League of Towns – *Report of the Town Manager on League of Towns discussions about shared staff.* – Town Manager Dana Reed reported the League of Towns discussed sharing local health officer, assessing, and technology staff. Currently, Southwest Harbor was the only one interested in sharing tech staff. League members will report back to their elected officials and, if there is enough interest, future discussion of a feasibility study would be the next step.

N. Treasurer's Warrant – *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Smith, moved to sign the Treasurer's warrant for paid bills. Motion passed 6-0.

VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

Mr. Paradis wished everyone a safe and Happy Thanksgiving.

Mr. Smith inquired how things were going in the Assessor's office now that there is additional help. A status report was already scheduled for the next agenda.

Mr. Smith also inquired if it was time to re-bid the town attorney services. He suggested discussing it sometime.

Mr. Veilleux wished everyone a Happy Thanksgiving.

VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION: (none scheduled)

IX. ADJOURNMENT – Mr. Paradis, with second by Mr. Garland, moved to adjourn at 10:27 p.m. Motion passed 6-0.

Paul Paradis, Secretary